

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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LUZ QUINTERO and ARMANDO
QUINTERO,

Plaintiffs,

-against-

MEMORANDUM AND ORDER

No. 17-CV-03932 (FB) (RER)

WELLS FARGO BANK N.A., LAW
OFFICES OF WALTER A. ANON, P.A.,
LAW OFFICES OF AARON I.
KATSMAN, P.C., ALEXANDER
SHIRYAK, P.C., JP MORGAN CHASE
BANK, N.A., HOMEBRIDGE
FINANCIAL SERVICES, INC., YAKOV
NIYAZOV, BYDEX B LLC, STEVEN
BURROUGHS, and JOHN DOE NOS. 1
and 2,

Defendants.

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BLOCK, Senior District Judge:

On October 15, 2018, Magistrate Judge Reyes issued an Amended Report and Recommendation (“R&R”) recommending that a default judgment be entered against all defendants in the total amount of \$234,986.90 plus post-judgment interest at the federal statutory rate. The R&R advised that “[a]ny objection to this Report must be filed . . . within fourteen days of service,” and that “[f]ailure to file any such objection waives the right to appeal the Court’s Order.” R&R at 7. The R&R was

served on all defendants on October 19, 2018, making objections due by November 2, 2018. To date, no objections have been filed.

Where clear notice has been given of the consequences of failure to object, and there are no objections, the Court may adopt the R&R without *de novo* review. *See Thomas v. Arn*, 474 U.S. 140, 149–50 (1985); *Mario v. P & C Food Mkts., Inc.*, 313 F.3d 758, 766 (2d Cir. 2002) (“Where parties receive clear notice of the consequences, failure timely to object to a magistrate’s report and recommendation operates as a waiver of further judicial review of the magistrate’s decision.”). The Court, however, will excuse the failure to object and conduct *de novo* review if it appears that the magistrate judge may have committed plain error. *See Spence v. Superintendent, Great Meadow Corr. Facility*, 219 F.3d 162, 174 (2d Cir. 2000).

No such error appears on the face of the R&R. Therefore, the Court adopts it in its entirety without *de novo* review. The Clerk shall enter judgment in accordance with the R&R.

SO ORDERED.

/S/ Frederic Block
FREDERIC BLOCK
Senior United States District Judge

Brooklyn, New York
December 6, 2018